

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

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**PLAINTIFF CSX TRANSPORTATION, INC.'S
RESPONSE TO NOTICE**

Plaintiff CSX Transportation, Inc. ("CSXT"), by counsel, respectfully submits this response to the April 1, 2019 Notice of Defendant Norfolk and Portsmouth Belt Line Railroad Company ("NPBL"). ECF No. 51. That Notice attached a decision of the U.S. Surface Transportation Board ("STB"), and stated that the STB's decision "relates to the alternative request of the Belt Line to stay this action during the pendency of the STB proceedings." *Id.* As opposed to implicating whether a stay should issue in this action, the STB decision, if anything, makes clear the Board expects both proceedings to continue simultaneously. ECF No. 51-1 at 7.

Dated: April 5, 2019

Respectfully submitted,

CSX TRANSPORTATION, INC.
By Counsel

/s/Robert W. McFarland

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CERTIFICATE OF SERVICE

I certify that on this 5th day of April, 2019, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

/s/Robert W. McFarland

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